

State of Kansas
Department of Health and Environment

Public Notice Concerning Kansas / Federal
Water Pollution Control Permits and Applications

State of Kansas
Department of Health and Environment
Division of Environment-Bureau of Water
1000 SW Jackson St., Suite 420
Topeka, Kansas 66612-1367

Telephone: (785) 296-6432 - Ag Permits
(785) 296-3056 - All Others

Public Notice No. KS-AG-22-297/302
Public Notice No. KS-Q-22-113/114
Public Notice No. KS-EG-22-018

Beginning Date: November 24th, 2022
Comments Due: December 24th, 2022

In accordance with Kansas Administrative Regulations 28-16-57a through 63, 28-18-1 through 17, 28-18a-1 through 31 and 33, 28-16-150 through 154, 28-46-7, and the authority vested with the State by the administrator of the U.S. Environmental Protection Agency, various draft water pollution control documents (permits, notices to revoke and reissue, notices to terminate) have been prepared and/or permit applications have been received for discharges to waters of the United States and the state of Kansas for the class of discharges described below.

The proposed actions concerning the draft documents are based on staff review, applying the appropriate standards, regulations, and effluent limitations of the state of Kansas and the Environmental Protection Agency. The final action will result in a Federal National Pollutant Discharge Elimination System Authorization and/or a Kansas Water Pollution Control permit being issued, subject to certain conditions, revocation, and reissuance of the designated permit or termination of the designated permit.

Public Notice No. KS-AG-22-297/302

Pending Permits for Confined Feeding Facilities

Name and Address of Applicant

Legal Description

Receiving Water

Jennifer Gerety
J-Six Farms – North Farm
1829 Q Rd
Oneida, KS 66522

SE/4 of Section 03
T03S, R13E
Nemaha County

Missouri River Basin

Kansas Permit No.: A-MONM-S048

The proposed action is to modify and reissue an existing State permit for a facility for 1,629 head (651.6 animal units) of swine weighing greater than 55 pounds, and 3,200 head (320 animal units) of swine weighing 55 pounds or less; for a total of 971.6 animal units of swine. The only modification is completion of a new farrowing addition, previously approved, to an existing building. There is no change in the permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

George Kohman
Kohman Dairy, LLC
8300 E HWY 50

NW/4 of Section 21
T24S, R39W
Hamilton County

Upper Arkansas
River Basin

Syracuse, KS 67878

Kansas Permit No.: A-UAHM-D002

Federal Permit No.: KS0115592

The proposed action is to modify and reissue the existing NPDES permit for a facility for a facility for 5,000 head (7,000 animal units) of mature dairy cattle, 7,000 head (3,5000 animal units) of cattle weighing less than 700 pounds, and 7,000 head (7,000 animal units) of cattle weighing more than 700 pounds for a total of 17,500 animal units. This represents an increase in the permitted animal units from the previous permit. This permit is also being modified to add 45-acres of pens, two settling channels, and one new retention control structure. This facility has an approved Nutrient Management Plan on file with KDHE.

Willem Vanderknaap
Deerfield Dairy, LLC
2401 Rd X
Deerfield, KS 67838

SE/4 of Section 05
T23S, R35W
Kearny County

Upper Arkansas
River Basin

Kansas Permit No.: A-UAKE-D002

Federal Permit No.: KS0094641

The proposed action is to reissue an existing NPDES permit for an existing facility for 2,500 head (3,500 animal units) of mature dairy cows and 4,000 head (4,000 animal units) of dairy cattle weighing more than 700 pounds for a total of 7,500 animal units of dairy cattle. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Nutrient Management Plan on file with KDHE.

Todd Bottorff
Bottorff Turkeys
2626 SE Clem Rd
Columbus, KS 66725

NE/4 of Section 33
T33S, R24E
Cherokee County

Neosho River Basin

Kansas Permit No.: A-NECK-F027

The proposed action is to reissue an existing State permit for an existing facility for 54,000 head (972 animal units) of turkeys. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Thermo Fisher Scientific
Blood Production Facility
32252 NW HWY 31
Garnett, KS 66032

NW/4 of Section 32
T19S, R18E
Anderson County

Marais des Cygnes
River Basin

Kansas Permit No.: A-MCAN-L001

The proposed action is to reissue an existing State permit for an existing facility for 6,350 head (635 animal units) of sheep. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Doug Wiebe
Wiebe Farms Inc.
13232 NW Prairie Creek Rd
Whitewater, KS 67154

SW/4 of Section 28
T23S, R03E
Butler County

Walnut River Basin

Kansas Permit No.: A-WABU-C016

Federal Permit No.: KS0100684

The proposed action is to reissue an existing NPDES permit for an existing facility for 1,100 head (1,100 animal units) of cattle weighing more than 700 pounds and 1,400 head (700 animal units) of cattle weighing less than 700 pounds for a total of 1,800 animal units. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Nutrient Management Plan on file with KDHE.

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Public Notice No.: KS-Q-22-113/114

The requirements of the draft permit public noticed below are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28 (b-g), and Federal Surface Water Criteria.

<u>NAME AND ADDRESS OF APPLICANT</u>	<u>RECEIVING STREAM</u>	<u>TYPE OF DISCHARGE</u>
El Dorado, City of 220 East 1 st El Dorado, KS 67042	Walnut River	Stormwater

Kansas Permit No. M-WA09-SN01
County: Butler
District: South Central

Federal Permit No. KSR440004

The proposed action is to issue a modified individual NPDES Municipal Separate Storm Sewer System (MS4) permit from an existing MS4 general permit. The proposed MS4 permit requires the permittee to develop, implement, and enforce a stormwater management program designed to reduce the discharge of pollutants from the MS4 to the maximum extent practicable, to protect water quality, and to satisfy the appropriate water quality requirements of the Clean Water Act and Kansas surface water quality statutes and regulations. The proposed permit requires the permittee to update the Stormwater Management Program document, implement six minimum control measures and implement best management practices to reduce any identified total maximum daily load (TMDL) regulated pollutant. The permittee may establish an alternative offsite pollution reduction program (offsite program) to invest and install Best Management Practices (BMPs) in rural lands above El Dorado Lake or along the Walnut River and its tributaries in Butler County. If there is an identified TMDL regulated pollutant, surface water monitoring may be required on the impaired water body to evaluate performance of the best management practices. Monitoring of industrial stormwater discharges and oversight of construction activities within the MS4 may be required if it is applicable. The proposed permit requires the submittal of an annual report that addresses all compliance requirements for the previous year.

Emporia, City of
2910 West 24th
Emporia, KS 66801

Cottonwood River

Processed
Wastewater

Kansas Permit No. I-NE24-PO06

Federal Permit No. KS0099244

Legal Description: SE¼ of Section 21, Township 19S, Range 11E of Lyon County, KS

Facility Location: Feature Name Latitude Longitude

Facility Center	38.42909	-96.21814
Outfall 001A1	38.37630	-96.19221

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This is a public, lime softening water treatment plant that is designed to treat 15 MGD. Raw water from the Neosho River is treated using pre-sedimentation basins, clarifiers, an ozone unit for primary disinfection and filters before being sent to the Clearwell. Water is then pumped to storage, prior to distribution. The raw water is treated using chlorine, lime, alum, fluoride, ammonia, carbon dioxide and various polymers. Discharges from the primary and secondary clarifiers (86,234 gpd) and filter backwash (142,376 gpd) and miscellaneous floor drains are pumped to the three cell lagoons for treatment, which are located on the south end of Emporia. Domestic wastes are sent to the city sanitary sewer. Outfall 001A consists of the discharge from either of the three lagoons, which is pumped to the Cottonwood River, via an underground pipeline. The proposed permit contains limits for Total Residual Chlorine and Total Suspended Solids, as well as monitoring for pH and Total Phosphorus.

Public Notice No.: KS-EG-22-016

In accordance with K.A.R. 28-46-7 and the authority vested with the State by the administrator of the U.S. Environmental Protection Agency, draft permits have been prepared for the use of the well(s) described below within the State of Kansas.

NAME AND ADDRESS OF APPLICANT

Occidental Chemical Corporation
6200 South Ridge Road
Wichita, KS 67215

Permit No.: KS-03-173-OLNI

Legal Description: Sec 30, T29S, R2W, Sedgwick County, Kansas

Well Number

Location

Parsons 4-1:	Latitude: 37.497008" Longitude: -97.575469"
Parsons 4-2:	Latitude: 37.497008" Longitude: -97.574436"
Parsons 4-3:	Latitude: 37.497008" Longitude: -97.573403"
Parsons 4-4:	Latitude: 37.497008" Longitude: -97.572367"
Parsons 4-5:	Latitude: 37.497008" Longitude: -97.571333"
Parsons 5-1:	Latitude: 37.495842" Longitude: -97.575469"
Parsons 5-2:	Latitude: 37.495842" Longitude: -97.574433"
Parsons 5-3:	Latitude: 37.495842" Longitude: -97.5734"
Parsons 5-4:	Latitude: 37.495842" Longitude: -97.572367"
Parsons 5-5:	Latitude: 37.495842" Longitude: -97.571331"

The proposed action is to reissue 10 Class III Injection Well permits for the wells listed above. These wells are authorized to mine salt from the Hutchinson Salt Member of the Wellington Formation by solution mining methods or as otherwise specified within the permit. The wells are part of two existing salt solution mining systems consisting of the Parsons 4 and Parsons 5 Galleries in Section 30, Township 29 South, Range 2 West, Sedgwick County, Kansas. The wells are hydraulically connected and must operate with a minimal pressure differential to prevent additional subsurface hydraulic connection. This area permit is for the Parsons 4 Gallery and Parsons 5 Gallery, with area permit number KS-03-173-OPS45. These wells were formerly under Kansas Permit Numbers KS-03-173-315 through KS-03-173-319, and KS-03-173-OPS5. Injection is to be made into the Hutchinson Salt member of the Wellington

formation. The top of the cavity shall be no shallower than 250 feet below land surface. Mining shall not extend into the upper 50 feet of the salt deposit. The maximum operational injection pressure is not to exceed 130 pounds per square inch at the wellhead. The Wellington Formation consists of inter-bedded salt and shale deposits with minor amounts of gypsum. The upper portion of the formation is primarily clayey shale with small amounts of gypsum present. The lower portion, which is known as the Hutchinson Salt member, is mainly salt with inter-bedded shale deposits. The salt deposits beneath Occidental Chemical Corporation's salt mining operations described herein are first encountered about 200 feet below ground surface and extended to a depth of about 460 feet. All construction, monitoring and operation of these wells will meet the requirements that apply to Class III injection wells under Kansas Administrative Regulations (K.A.R.) 28-46-1 through 28-46-45, and other requirements of KDHE.

Persons wishing to comment on or object to the draft documents and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment (KDHE) if they wish to have the comments or objections considered in the decision-making process. All written comments regarding the draft documents, application or registration notices received on or before **December 24th, 2022** will be considered in the formulation of the final determination regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-22-297/302, KS-Q-22-113/114, KS-EG-22-018) and name of the applicant/permittee when preparing comments.

All comments received will be responded to at the time the Secretary of Health and Environment issues a determination regarding final agency action on each draft document/application. If response to any draft document/application indicates significant public interest, a public hearing may be held in conformance with K.A.R. 28-16-61 (28-46-21 for UIC). A request for public hearing must be submitted in writing and shall state the nature of the issues proposed to be raised during the hearing.

Comments or objections for agricultural related draft documents, permit applications, registrations or actions should be submitted to the attention of Paige Drury, Livestock Waste Management Section at the KDHE, Bureau of Environmental Field Services (BEFS), 1000 SW Jackson, Suite 430, Topeka, KS 66612. Comments or objections for all other proposed permits or actions should be sent to Michael Beezhold at the KDHE, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, KS 66612.

All draft documents/applications and the supporting information including any comments received are on file and may be inspected at the offices of the KDHE. For agricultural related draft documents or applications an appointment can be scheduled, or copies requested by contacting Mirina Landry at 1000 SW Jackson St., Suite 430, Topeka, KS 66612, telephone (785) 296-0076 or email at kdhe.feedlots@ks.gov. For all other proposed permits or actions an appointment can be scheduled, or copies requested by contacting Neal Niceswanger, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, KS 66612, telephone (785) 296-6804 or email at Neal.Niceswanger@ks.gov. These documents are available upon request at the copying cost assessed by KDHE. Application information and components of plans and specifications for all new and expanding swine facilities are available on the Internet at <http://www.kdhe.ks.gov/livestock>. Division of Environment offices are open from 8 a.m. to 5 p.m., Monday through Friday, excluding holidays.

Janet Stanek
Secretary
Kansas Department of Health and Environment